

Task Force to Study Mulching, Composting, and Wood Processing

Approved Minutes

January 21, 2015

Mr. Z. Brendel called the meeting to order at 6:18 p.m. in the C. Vernon Gray Room, Howard Building, 3430 Courthouse Drive, Ellicott City, MD.

Members present: Lynn Moore, Theodore Mariani, Sean Harbaugh, Brent Loveless, Richard Goldman, Brent Rutley, John Tegeris (initially by conference call), Jeff Dannis, Keith Ohlinger (for Ms. Zimmerman), Cathy Hudson, Zack Brendel, Justin Brendel (for Mr. Ensor), and Robert Orndorff.

Members present via conference call: Martha Clark, Stu Kohn, and Bert Nixon.

Others Present: Marsha McLaughlin, Department of Planning and Zoning, and Jeff Meyers, Task Force staff. Several members of the public were in attendance.

Mr. Kohn indicated that he thought the meeting was cancelled because school activities were cancelled due to weather conditions. The Task Force does not have this rule nor does County government.

Mr. Goldman asked for comments about the January 14 minutes. Mr. Meyers pointed out 2 corrections, a substitute phrase requested by Mr. Kohn and a typo spotted by Ms. Hamilton. Ms. Hudson moved approval of the minutes as corrected, Mr. Orndorff seconded. The minutes were approved by voice vote.

The Task Force resumed its discussion of the updated table provided by Ms. McLaughlin, a copy of which is appended below.

Mr. Mariani noted that Rows 3, 4, and 5 are similar in that they each allow for import of feedstock and export of product, the differences being in the size of the facility. Mr. Z. Brendel noted that facility size limits the amounts of materials handled. Ms. McLaughlin noted that smaller facilities -- Row 3 -- would be subject to an administrative permit, while larger facilities - - Rows 4 and 5 -- would be subject to a conditional use.

Mr. Mariani was concerned that the setbacks proposed for Row 3 facilities were too small. Mr. Rutley pointed out that the location of facilities would be part of the conservation plan and that the best spot might be near a property line given the topography of the property. After a discussion of setbacks, Mr. Dannis moved that, for Row 3, the setback be 200 feet to a property line but that DPZ may reduce the setback to not less than 100 feet if recommended in the

conservation plan and if site conditions allow for a satisfactory buffer. Mr. Mariani seconded. The motion passed on a voice vote.

The Task Force discussed how setbacks and facilities might be affected if a neighbor builds a residence close to the property line near an existing facility. The Task Force concluded that an existing facility would not be forced to move because of subsequent construction by a neighbor.

Mr. Rutley moved that, for Row 3, the setback to an adjoining residence be 300 feet and must comply with NRCS Standard #380 for buffering and windbreak and that the facility must be part of a facility design and conservation plan developed with the Howard Soil Conservation District. Mr. Mariani seconded. The motion passed on a vote of 14 for, 2 against, and 2 absent¹.

Mr. Ohlinger moved that Row 3, with the setbacks amendments and with the addition of the fire safety paragraph copied from Row 2², be approved. Mr. J. Brendel seconded.

Mr. Dannis thought that some of the matters in the minority recommendation column should be discussed, modified if necessary, and put to a vote. For example, the minority language refers to a “certified” fire safety engineer, but no such certification exists. Dr. Tegeris was only in favor of the minority recommendations being voted upon as a paragraph, and not to be separately discussed or voted upon. The Task Force then discussed the significance of “minority recommendations” and how those recommendations should be presented in the final report. The concern was that while all ideas voted upon favorably have been fully vetted and discussed, ideas presented in the minority report may not have had similar discussions. Some members suggested that the Task Force was not representative of the citizenry in relation to the Zero Waste Plan.

The motion passed on a vote of 13 for, 2 against, and 3 absent³.

The Task Force discussed Row 4 on Ms. McLaughlin’s table.

Mr. Mariani was concerned that the proposed setbacks were too small. Ms. McLaughlin pointed out that since a Row 4 facility would be subject to a conditional use, the hearing examiner would consider public testimony and DPZ recommendations. She thought that the criteria should allow the hearing examiner latitude when setting the conditions for a facility. Mr. Mariani moved that, for Row 4, the setback be 300 feet to a property line and 500 feet to an adjoining residence; however, the hearing examiner may reduce the setbacks based on a

¹ Voting yes: Ms. Moore, Mr. Mariani, Ms. Clark, Mr. Harbaugh, Mr. Loveless, Mr. Goldman, Mr. Rutley, Mr. Dannis, Mr. Ohlinger, Ms. Hudson, Mr. Nixon, Mr. Z. Brendel, Mr. J. Brendel, and Mr. Orndorff. Voting no: Dr. Tegeris and Mr. Kohn. Absent: Mr. Lober and Dr. Felton.

² “The Fire Marshal’s Office shall review and comment on the fire safety plan that is included in the MDE permit application.”

³ Voting yes: Ms. Moore, Mr. Mariani, Ms. Clark, Mr. Harbaugh, Mr. Goldman, Mr. Rutley, Mr. Dannis, Mr. Ohlinger, Ms. Hudson, Mr. Nixon, Mr. Z. Brendel, Mr. J. Brendel, and Mr. Orndorff. Voting no: Dr. Tegeris and Mr. Loveless, Absent: Mr. Kohn, Mr. Lober, and Dr. Felton.

recommendation from DPZ and if there is no adverse impact. Mr. J. Brendel seconded. The motion passed on a vote of 11 for, 2 opposed, and 5 either absent or abstaining⁴.

The Task Force discussed how a Row 4 facility might impact nearby residents particularly in terms of hours of operations. Mr. Mariani moved that the text in Row 4, beginning with “windbreak” down through “until MDE permit is issued” be approved with the following changes: substitute “sight distance” for “site distance”; set the hours of operation to “7 am to 6 pm Monday through Saturday”; and delete the item “Other conditions VS use MDE permit requirements”. Mr. Dannis expressed reservations about the size criteria for Row 4. The Task Force discussed how much total facility space would be needed in the County to process all of the County’s organic waste. The Task Force also discussed the likelihood that buyers of residences near facilities would be aware of facility operations and impacts. The motion passed on a vote of 15 for and 3 absent⁵.

Ms. McLaughlin noted that because Row 4 facilities are conditional uses, there would be a public hearing. Mr. Ohlinger moved adoption of Row 4 as amended. Mr. Rutley seconded. The motion passed on a vote of 10 for, 5 against, and 3 absent⁶.

The Task Force discussed Row 5 on Ms. McLaughlin’s table.

Mr. Orndorff noted that it was not feasible to operate a natural wood waste recycling facility inside a building and moved that the paragraph requiring that it be “within an enclosed facility” be deleted and that language be substituted requiring dust control by misting or water injection during processing. Mr. J. Brendel seconded.

The Task Force discussed the economics of doing natural wood waste processing in a building in the M1 or M2 zones. The Task Force also discussed the preference for siting these facilities in M1/M2 and how that might be incentivized. Ms. McLaughlin suggested that an enclosed facility might have smaller setbacks compared to an outdoors facility. Mr. Loveless shared his experiences with the adverse impacts of wood waste processing and was concerned that facilities would harm nearby residential and commercial property owners both demonstrably by dust deposition and noise and less obviously by lowering property values. Mr. Orndorff noted that the requirement to control dust was just one of many requirements in the 16 pages of a natural wood waste facility permit. Ms. Hudson noted the other kinds of operations already

⁴ Voting yes: Ms. Moore, Mr. Mariani, Mr. Harbaugh, Mr. Goldman, Mr. Rutley, Mr. Dannis, Mr. Ohlinger, Ms. Hudson, Mr. Z. Brendel, Mr. J. Brendel, and Mr. Orndorff. Voting no: Mr. Loveless and Dr. Tegeris. Absent or abstaining: Ms. Clark, Mr. Lober, Mr. Kohn, Mr. Nixon, and Dr. Felton.

⁵ Voting for: Ms. Moore, Mr. Mariani, Ms. Clark, Mr. Harbaugh, Mr. Loveless, Mr. Goldman, Mr. Rutley, Dr. Tegeris, Mr. Dannis, Mr. Ohlinger, Ms. Hudson, Mr. Nixon, Mr. Z. Brendel, Mr. J. Brendel, and Mr. Orndorff. Absent: Mr. Lober, Mr. Kohn, and Dr. Felton.

⁶ Voting for: Ms. Moore, Mr. Mariani, Ms. Clark, Mr. Rutley, Mr. Dannis, Mr. Ohlinger, Ms. Hudson, Mr. Z. Brendel, Mr. J. Brendel, and Mr. Orndorff. Voting no: Mr. Harbaugh, Mr. Loveless, Mr. Goldman, Dr. Tegeris, and Mr. Nixon. Absent: Mr. Lober, Mr. Kohn, and Dr. Felton.

allowed in M1/M2 and the likelihood that those operations would produce dust, noise, and other impacts.

The motion passed on a vote of 10 for, 5 against, and 3 absent⁷.

Mr. Ohlinger wondered whether the distance to a fire hydrant was correct and whether Row 5 needs to have fire safety language similar to that added to Row 3. Mr. Dannis thought the fire hydrant distance was correct and Ms. McLaughlin noted that, because a Row 5 facility would be subject to a conditional use, the fire marshal would carefully review and comment on the plans.

Mr. Ohlinger moved adoption of Row 5 as amended. Mr. J. Brendel seconded. Mr. Mariani thought that the setback criteria merited further discussion. Mr. Harbaugh noted that the Dayton Rural Preservation Society recommendations should be discussed in detail, for there seems to be more common ground in this section. Considering the desire for further discussion of Row 5 and the late hour, Mr. Ohlinger withdrew his motion.

The Task Force adjourned at 9:07 p.m.

The Task Force will meet next on January 28, 2015.

⁷ Voting for: Ms. Moore, Ms. Clark, Mr. Goldman, Mr. Rutley, Mr. Dannis, Mr. Ohlinger, Mr. Nixon, Mr. Z. Brendel, Mr. J. Brendel, and Mr. Orndorff. Voting no: Mr. Mariani, Mr. Harbaugh, Mr. Loveless, Dr. Tegeris, and Ms. Hudson. Absent: Mr. Lober, Mr. Kohn, and Dr. Felton.

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
Natural Wood Waste	1	No permit	Sec. 26.04.09.02.B(5)(b) exempts single individual /business that recycles materials <u>generated on site.</u>	No permit, DPZ enforcement.	<p>Allow by right on farms including County and State agricultural preservation easements, using MDE criteria regarding on site generated materials</p> <p>Use Zoning definition of farm, but incorporate MDE definitions of wood waste and wood waste recycling facility (Section 26.09.02.B.)</p> <p>Minimum parcel size of 3 acres (Zoning defines “farm” as at least 3 acres).</p> <p>May occupy up to 10% of the land, with a maximum of 5 acres</p> <p>Must have and be implementing a conservation plan</p> <p>Must comply with MDE General Restrictions (COMAR Section 26.09.03).</p> <p>Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12ft; maximum processing pile height of 10 feet. Provide processing facility site information to Fire Dept for advice on fire suppression.</p> <p>VOTE: 13 yes; 5 no</p>	<p>DRPS</p> <p><i>Any “compost” produced is solely from wood waste for all NWWWR categories.</i></p> <p>Allow by right in RC and RR, including HoCo and State Ag Preserve, using MDE criteria regarding on site generated materials – limited to 1 acre. Only for material generated and used on site. Fire Marshal approval. (how?)</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
	2	NWWR Permit COMAR, Title 26, Subtitle 04, Chap.09.	Any properties that recycle materials <u>not generated on site, but to be used on site</u>	No permit, DPZ enforcement	<p>Allow by right on farms in RC and RR, including County and State Ag. Preservation easements.</p> <p>Use Zoning definition of farm, but incorporate MDE definitions of wood waste and wood waste recycling facility (Section 26.09.02.B.)</p> <p>May occupy up to 10% of the land, with a maximum of 5 acres</p> <p>MDE Application must be submitted to County Executive, DPW Environmental Services, Health Dept and Howard Soil Conservation District.</p> <p>Must comply with MDE General Restrictions (COMAR Section 26.09.03).</p> <p>Must have and be implementing a conservation plan</p> <p>Setbacks: (MDE setback is simply 50 ft to property line) 100 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</p> <p>Meet MDE General Restrictions (COMAR Sec. 26.09.03)</p> <p>Meet MDE General Requirements and Operating Procedures regarding buildings, screens, buffers, access roads, environmental protection,</p>	<p>DRPS HoCo Sec 128 permit</p> <p>Allow with permit in RC and RR, including HoCo and State ag. 2 acre maximum. 500 feet from property lines, streams and wells. For use on site or on other sites owned by operator but does not allow shipment as an end product for commercial sale. At elevation less than 25 feet above surrounding area. Controlled run-off. Adequate source of water as approval by certified fire safety engineer. Noise kept below 55 dBA at set back. Misting to control dust. Operating hours 7:30 AM to 4:30 PM.</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>Emergency Preparedness Manual; cleanliness, sanitation, fire control and other requirements (COMAR Sec.26.09.07)</p> <p>Provide processing facility site information to Fire Dept for advice on fire suppression. The Fire Marshal’s office shall review and comment on the fire safety plan that is included in the MDE permit application.</p> <p>VOTE: 13 yes; 5 no</p>	
	3	NWWR Permit Sec. 26.04.09	Any properties that recycle materials <u>not generated on site, that may be both used on site and distributed off site</u>	DPZ administrative permit (Sec. 128.0 of Zoning Regs)	<p><u>Similar to CELL #9??</u></p> <p><u>Allowed on farms in RC and RR, including County and State Ag Preservation easements.</u></p> <p><u>Use Zoning definition of farm, but incorporate MDE definitions of wood waste and wood waste recycling facility (Section 26.09.02.B.)</u></p> <p><u>Size limit ?? (MDE regs don’t have) Up to 10% of the parcel up to a maximum of 5.5 acres (use MDE definition of what is included in facility area. Remainder of land to be actively farmed or managed per current Conservation Plan</u></p> <p><u>Setbacks: (MDE setback is simply 50 ft to property line) 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</u></p> <p><u>Administrative permit application must include MDE Application (submitted to</u></p>	<p>DRPS</p> <p>HoCo Conditional Use Hearing</p> <p>RC and RR zoned property up to 10% of property but no more than 2 acres. Not allowed on HoCo or State Ag preserve. Set back at 500 feet from property lines, streams and wells. At elevation less than 25 feet above surrounding areas. Run-off controlled, adequate roads study, adequate water supply as approved by certified fire safety engineer. Misting to control dust. Noise at 55 dB at set back.. Operating hours from 7:30 AM to 4:30 PM. All permits approved and supplied to County before hearing. Past violations considered by hearing examiner.</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>County Executive, DPZ, DPW Environmental Services, Health Dept and Howard Soil Conservation District).</p> <p>Meet MDE General Restrictions (COMAR Sec. 26.09.03)</p> <p>Meet MDE General Requirements and Operating Procedures regarding buildings, screens, buffers, access roads, environmental protection, Emergency Preparedness Manual; cleanliness, sanitation, fire control and other requirements (COMAR Sec.26.09.07)</p> <p>VOTE:</p>	
	4	NWWR Permit Sec. 26.04.09	<p>Same as #3, but larger:</p> <p>Any properties that recycle materials <u>not generated on site, that may be both used on site and distributed off site</u></p>	Conditional Use (Sec. 131.0.N of Zoning Regs)	<p>Similar to CELL #10</p> <p>May be allowed on farms in RC and RR, including County and State Ag Preservation easements.</p> <p>Use Zoning definition of farm, but incorporate MDE definitions of wood waste and wood waste recycling facility (Section 26.09.02.B.)</p> <p>Size limit ?? (MDE regs don't have) Up to 10% of the parcel up to a maximum of 10 acres ?? Remainder of farm to be actively farmed or managed per current Conservation Plan.</p> <p>Setbacks: (MDE setback is simply 50 ft to property line) 50 ft to property line;</p>	DRPS – same as #3

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</p> <p>Conditional use application must include MDE Application (submitted to County Executive, DPZ, DPW Environmental Services, Health Dept and Howard Soil Conservation District).</p> <p>Meet MDE General Restrictions (COMAR Sec. 26.09.03)</p> <p>Meet MDE General Requirements and Operating Procedures regarding buildings, screens, buffers, access roads, environmental protection, Emergency Preparedness Manual; cleanliness, sanitation, fire control and other requirements (COMAR Sec.26.09.07)</p> <p>Conditional use criteria:</p> <ul style="list-style-type: none"> • Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells? • Forest or landscape buffers (minimum 50 ft?) • How dust and odors will be controlled - siting? Windbreak per NRCS standard #380? Misting? • Adequate access for trucks & emergency vehicles (road classification, site distance) • Adequate year round water supply and sufficient access to fire equipment (as determined by DFRS vs MDE permit requirements)? 	

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<ul style="list-style-type: none"> Limits on days and hours of operation? 7 am – 6pm? or Mon-Friday?, Saturday: 9-4?? (MDE limits to daylight hours?) Other conditions VS use MDE permit requirements? <p>The Hearing Examiner can impose other conditions to prevent adverse impacts on adjoining parcels.</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued</p> <p>VOTE:</p>	

Natural Wood Waste and Composting					
	MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
5	NWWR Permit Sec. 26.04..09	Any properties that recycle materials <u>not generated on site, that may be both used on site and distributed off site</u>	Permitted by right in M-1 and M-2 district	<p>Requires submission of a Site Development Plan for review by County agencies (addresses access, traffic, fire code stormwater management, etc.).</p> <p>SDP submission to include MDE permit application</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Must meet MDE noise restrictions (COMAR Sec.26.02.03.00) . MDE limits to daylight hours;??</p> <p>Meet MDE General Requirements and Operating Procedures regarding buildings, screens, buffers, access roads, environmental protection, Emergency Preparedness Manual; cleanliness, sanitation, fire control and other requirements (COMAR Sec.26.09.07)</p> <p>A fire hydrant shall be located on site or within 400 ft</p> <p>Zoning requires 75-150' setback from residential properties, depending on the zoning.</p>	<p>DRPS</p> <p>DRPS recommends allowed in M-1 and M-2 by conditional use, not permitted by right.</p> <p>M1 and M2 properties only. 10 acre limit.</p> <p>Other permit criteria:</p> <ul style="list-style-type: none"> • Setbacks from residential property lines of 500 feet • Setback from streams and wells - 500 feet • Forest or landscape buffers (minimum width of 100 ft) • Run-off controlled and control of smell to neighboring properties. • Mist when grinding and turning for dust control • Grinders, processing and winrows in an enclosed facility • Adequate access for trucks & emergency vehicles (road study) • Limits on days and hours of operation - 7:30 Am to 4:30 PM, M-Sat • Requires submission of all approved permits to County • Noise at less than 55 dBA at setbacks <p>Fire hydrant capable of 1000 gpm at 20 psi within 1000 feet of facility with adequate roads for fire trucks as approved by a certified fire safety engineer.</p> <p>The County can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels.</p> <p>Requires submission of a Site Development Plan and all permits to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>Shall be located within an enclosed facility unless the applicant can demonstrate that the proposed design, setbacks, and technology will prevent an outdoor facility from becoming a nuisance that adversely affects neighboring properties.</p> <p>SDP can't be approved until MDE permit is issued and submitted to County.</p> <p>VOTE:</p>	SDP can't be approved until MDE permit is issued and past compliance is considered.
<p>Composting Tier 1 (Yard waste and other low risk materials approved by MDE. (see definition in Sec.26.04.11.02 (37))</p>	6	No permit Sec.26.04.11.05 (c)(1) and 26.04.11.06.C	<p>Farms that compost organic materials generated and used on the site or other sites controlled by the same operator (No size limit for farms)</p> <p>Must meet MDE General Restrictions</p> <p>Type 1 materials (grass and leaves) do not include manure, food scrap, seafood scrap, dead poultry or animals.</p>	No permit, DPZ enforcement	<p>Allowed by right on farms including County and State agricultural preservation easements, in all residential districts.</p> <p>Use Zoning definition of farm, but incorporate components for MDE definition (Section 26.04,11.02.17.a&b) . Add MDE definition of composting</p> <p>Minimum parcel size of 3 acres (Zoning defines "farm" as at least 3 acres).</p> <p>May occupy up to 5% of the land, with a maximum of 5 acres</p> <p>Must have and be implementing a conservation plan, as well as a nutrient management plan if required by the State</p>	<p>Maximum of 10% of farm up to 2 acres as initially suggested by Brent Rutley and voted on earlier.</p> <p>Controlled run-off,</p>

Natural Wood Waste and Composting						
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					<p>Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12ft; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p> <p>Allows composting of dead animals raised on the farm. VOTE: 12 in support; 7 opposed</p>	<p>Set backs of 500 feet from property lines, streams and wells.</p> <p>Noise at 55 dBA max at set backs.</p> <p>Misting when grinding if excessive dust generated. Fire marshal approval.</p> <p>Opposed: DRPS, HoCo Exec, HCCA, Dist 3 ???</p>
	7	No permit Sec. 26.04.11.06.E and Sec. 26.04.11.05.C	Farm and residential properties using 5,000 SF or less area. Material to be used on site.	No permit, DPZ enforcement	<p>Allowed by right on all farms, including County and State agricultural preservation easements. Also single family detached lots and community open space or gardens in all zoning districts if materials are used on site.</p> <p>May not exceed 10% of parcel acreage.</p> <p>No setback if pile is 4 ft or less within an enclosing frame or bin. Freestanding piles are to be set back 2.5 ft for each 1 ft of pile height.</p> <p>Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft</p>	

Natural Wood Waste and Composting						
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					<p>; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p> <p>On farms, allows composting of dead animals raised on the farm. VOTE: all supported</p>	
	8	No permit Sec. 26.04.11.06.D	<p>Farm facility using no more than 40,000 SF that: -complies with General Restrictions in Sec. 26.04.11.04.B --has a soil conservation & water quality mgt plan - composts only organic material generated on site or another farm controlled by the same operator; animal manure and bedding regardless of origin; & Type 1 feedstocks regardless origin. -May distribute off-site.</p>	No permit, DPZ enforcement	<p>Allowed by right on farms in all districts, including County and State agricultural preservation easements</p> <p>Must meet MDE thresholds and NRCS standard #317..</p> <p>Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</p> <p>Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression. On farms, allows composting of dead animals raised on the farm.</p> <p>VOTE: 15 support , 2 pass, and 2 no</p>	<p>No votes: do not allow in the East? Don't allow composting of dead animals</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
	9	Tier 1 Composting Permit Sec.26.04.11.06.D	<u>Farm facility greater than 40,000 SF</u> that complies with General Restrictions (Sec. 26.04.11.04.B) & all MDE permit requirements. MDE doesn't limit off site distribution	DPZ administrative permit and enforcement	<p>Allowed on farms in RC and RR, including County and State Ag Preservation easements up to a maximum of 10% of the parcel up to 5.5 acres (use MDE definition of what is included in facility area. Remainder of land to be actively farmed or managed per current Conservation Plan Zoning permit submission to include MDE permit application (to be shared with DPW and DFRS)</p> <p>Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells Must meet MDE stormwater management requirements Must meet MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>No limits on hours of operation (10 support; 5 oppose, 1 abstained)</p> <p>Compost facility meets: NRCS standard #317 for design; NRCS standard #380 (includes buffers and dust suppression); and nutrient mgmt. plan per MDA standard.</p> <p>Meet MDE standards for height of feedstock and composting piles. Provide composting site information to Fire Dept for advice on fire suppression.</p> <p>On farms, allows composting of dead</p>	<p>Allowed on farms in RC and RR, including County and State ag preservation up to a maximum size of 10% of farm, up to 2 acres.</p> <p>Majority (75%) of end product is for use on the farm or other farms owned by operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product (mulch, compost) for distribution off-site.</p> <p>Set backs of 300 feet from property lines, streams and wells.</p> <p>All MDE permits in place and past compliance to be considered before 128 permit is issued. ??</p> <p>Operating limited to daylight hours</p> <p>Controlled run-off, misting when grinding if excessive dust generated. ??</p> <p>Adequate water supply as determined by a certified fire safety engineer. ??</p> <p>Type 1 only – no animal mortality</p> <p>4 support: DRPS, HoCo Exec, HCCA, Dist 3</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>animals raised on the farm</p> <p>Vote: ---support?? 4 oppose ??</p>	
	10	Tier 1 Composting Permit Sec. 26.04.11.05 & .06	<p>Same as above: <u>Farm facility greater than 40,000 SF</u> that complies with General Restrictions (Sec. 26.04.11.04.B) & all MDE permit requirements. MDE doesn't limit off site distribution</p>	Conditional use	<p>Allowed on farms in RC and RR, including Ag Preservation easements up to a maximum 10 % of the parcel up to a maximum of 10 acres . Remainder of land to be actively farmed or managed per current Conservation Plan. At least 50% of the finished compost is to be used on the farm or another property farmed by the operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product for distribution off-site.</p> <p>Conditional use submission to include MDE permit application (share with DPW and DFRS), Must meet MDE General Restrictions (COMAR 26.04.11.04.B) Compost facility meets: NRCS standard #317 for design; NRCS standard #380 (includes buffers and dust suppression); and nutrient mgmt. plan per MDA standard</p> <p>Meet Howard County Fire Code maximum feedstock pile height of 9 ft; maximum compost processing pile height of 8 feet. and other requirements related to access and fire suppression based on proposed design</p>	<p>Not allowed on RC and RR farms requiring more than 2 acres.</p> <p>4 support: DRPS, HoCo Exec, HCCA, District 3 ???</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>Conditional use criteria:</p> <ul style="list-style-type: none"> • Setbacks: 150 ft to property line; 500 ft to adjoining residence; 100 ft to a stream or well, but 200 ft to a down gradient domestic wells • Adequate site access for trucks & emergency vehicles (road classification, driveway entrance) • Reliable, year round water supply as determined by DFRS • Operating limited to daylight hours., Monday - Saturday <p>The Hearing Examiner can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels based on comments from reviewing agencies (see General Criteria for all conditional uses).</p> <p>After conditional use approval, require submission of a Site Development Plan to be reviewed by County agencies (addresses detailed design related to regulations on access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued.</p> <p>Copies of a permit renewal or revision by MDE must be submitted to DPZ and shared with DPW and DFRS</p> <p>Vote: 10 support; 6 oppose; 1 pass</p>	

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
	11	Tier 1 Composting Permit	<p>Non-farm operations</p> <p>Non-farm operations shipping compost as an end product for use by others.</p>	M-1 and M-2 zoning districts permitted with a Solid Waste Overlay.	<p>M1 and M2 properties only with Solid Waste Overlay.</p> <p>Zoning petition to include MDE permit application (share with DPW and DFRS),</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B) and noise restrictions (COMAR Sec.26.02.03.00)</p> <p>Shall be located within an enclosed facility unless the applicant can demonstrate that the proposed design, setbacks, and technology will prevent an outdoor facility from becoming a nuisance that adversely affects neighboring properties.</p>	<p>Limits on days and hours of operation -7:30 AM to 4:30 PM, M-Sat</p> <p>Noise at less than 55 dBA at setbacks</p> <p>The County can impose other conditions that are appropriate to prevent adverse impacts</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>The Zoning Board may limit hours of operation, require increased setbacks or buffering, or impose other conditions to prevent adverse impacts on adjoining property as part of the SW zoning case decision.</p> <p>A fire hydrant shall be located on site or within 400 ft</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued and submitted to County.</p> <p>VOTE: 12 support; 5 oppose; 1 absent</p>	<p>on adjoining parcels.</p> <p>Fire hydrant capable of 1000 GPM at 20 PSI within 1000 feet of facility with adequate roads for fire trucks as approved by a certified fire safety engineer.</p> <p>SDP can't be approved until MDE permit is issued and past compliance is considered Vote: Rick John, Stu,</p> <p>Brent wants fully enclosed and/ unless an economic model?? Dr Felt ???</p>
<p>Composting Tier 2 Source separated food scraps, manure, food processing materials, etc. per MDE as "moderate" risk materials approved by MDE. (see definition in Sec.26.04.11.02 (38))</p>	12	No permit Sec.26.04.11.05.C(1)	Farms that compost organic materials generated and used on the site (No size limit)	No permit DPZ enforcement	<p>Allowed by right on farms including County and State agricultural preservation easements, in all residential districts.</p> <p>Use Zoning definition of farm, but incorporate components for MDE definition (Section 26.04,11.02.17.a&b) . Add MDE definition of composting</p> <p>Minimum parcel size of 3 acres (Zoning defines "farm" as at least 3 acres).</p> <p>May occupy up to 5% of the land, and maximum of 5 acres</p>	<p>Sec 128 Permit -- For single family properties in RC and RR including HoCo and State ag preserve. 2 acre max.</p> <p>Set backs of 500 feet from property lines, streams and wells. Controlled run-off, noise at 55 dBA max from set backs, misting when grinding if excessive dust generated. Fire Marshal approval.</p> <p>Control of smell at neighboring properties if manure is used.</p> <p>Dead animals at TBD percentage.</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>Facility setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells</p> <p>Must have and be implementing a conservation plan, as well as a nutrient management plan if required by the State</p> <p>Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Compost facility design meets NRCS standard #317; nutrient management plan per MDA standard.</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p> <p>On farms, allows composting of dead animals raised on the farm</p> <p>.VOTE: 13 support; 5 oppose</p>	No discussion of above material by opponents
	13	No permit	Farm and	No permit	Allowed by right on all farms, including	DRPS

Natural Wood Waste and Composting					
	MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
	Sec.26.04.11.05.C(3)	residential properties using 5,000 SF or less area (with 12 ft height limits for composting piles). Material to be used on site, but no limit on where generated	DPZ enforcement	<p>County and State agricultural preservation easements. Also single family detached lots and community open space or gardens in all zoning districts if compost materials are used on site, but composting may only include plant materials, not dairy, seafood, meat or animal waste</p> <p>May not exceed 10% of parcel acreage.</p> <p>No setback if pile is 4 ft or less within an enclosing frame or bin. Freestanding piles are to be set back 2.5 ft for each 1 ft of pile height.</p> <p>Must comply with MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Compost facility design meets NRCS standard #317; nutrient mgmt. plan per MDA standard.</p> <p>Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft ; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression.</p> <p>On farms, allows composting of dead animals raised on the farm.</p>	<p>Sec 128 Permit</p> <p>Allowed in RC and RR including HoCo and State ag preserve, and single family detached properties in R-ED,R-20 and R-12 zoning districts if 3 acres or greater. Material from site and used on-site use only. 2500 sq ft max facility. Set backs of 100 feet from property lines, streams and wells. Pile height no more than 6 feet. Controlled run-off and smell. No dead poultry, animals or seafood. Covered facility. Fire marshal approval</p> <p>No discussion of above material by opponents</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					VOTE ???	
14	Tier 2 Permit Sec. 26.04.11.06.D	Farm facility of no more than 40,000 SF that: -complies with General Restrictions in Sec. 26.04.11.04.B --has a soil conservation & water quality mgt plan - composts only organic material generated on site or another farm controlled by the same operator; animal manure and bedding regardless of place of generation; & Type 1 feedstocks regardless of place of generation. Also allows import of Type 2 feedstock (grocery stores, restaurants) for use on the farm	No permit DPZ enforcement	FROM CELL #8 –do we want to amend ????? Allowed by right on farms in all districts, including County and State agricultural preservation easements Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells (Ted: 100 ft to property line & 500 ft to adjoining residence) Must comply with MDE General Restrictions (COMAR 26.04.11.04.B) Compost facility design meets NRCS standard #317; nutrient mgmt. plan per MDA standard. Meet Howard County Fire Code. Maximum feedstock pile height of 12 ft ; maximum compost processing pile height of 8 feet. Encourage provision of composting site information to Fire Dept for advice on fire suppression. On farms, allows composting of dead	DRPS Sec 128 Permit but conditional use if food waste is used Allowed by right in RC and RR districts including HoCo and State ag preserve. 40,000 sq ft max facility. Set backs of 500 feet from property lines, streams and wells. Controlled run-off, noise at 55 dBA max from set backs, misting when grinding if excessive dust generated. Majority (75%) of end product is for use on the farm or on other farms owned by operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product (mulch, compost) in itself. Any use of manure will require control of smell to neighboring properties. Fire marshal approval. Dead animals at a TBD percentage.	

Natural Wood Waste and Composting					
	MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
				<p>animals raised on the farm.</p> <p>VOTE:</p>	
15	Tier 2 Permit Sec.26.04.11.06.C	<p>Farm facility greater than 40,000 SF that complies with General Restrictions (Sec. 26.04.11.04.B) & all MDE permit requirements. Allows food scrap and manure in addition to Type 1 materials</p>	<p>DPZ administrative permit (Sec.128.0.1 of Zoning)</p>	<p>FROM CELL #9 – do we want to amend something?????</p> <p>Allowed on farms in RC and RR, including County and State Ag Preservation easements up to a maximum of 10% of the parcel up to 5.5 acres (use MDE definition of what is included in facility area. Remainder of land to be actively farmed or managed per current Conservation Plan Zoning permit submission to include MDE permit application (share with DPW and DFRS)</p> <p>Setbacks: 50 ft to property line; 300 ft to adjoining residence; 100 ft to a stream or well, except 200 ft to a down gradient domestic wells. ?????</p> <p>Must meet MDE stormwater management requirements</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B) and noise restrictions (COMAR Sec.26.02.03.00)</p> <p>Compost facility meets: NRCS standard #317 for design; NRCS standard #380</p>	<p>DRPS</p> <p>128 permit, but conditional use if food waste is used??</p> <p>Allowed on farms in RC and RR districts including HoCo and State ag preserve up to a maximum size of 10 percent of farm but not more than 2 acres. Majority (75%) of end product is for use on the farm or is used on other farms owned by the operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product (mulch, compost) in itself. . Set backs of 500 feet from property lines, streams and wells. Controlled run-off, noise at 55 dBA max at set backs, misting when grinding if excessive dust generated. All MDE permits in place and past compliance to be considered before 128 permit is issued. Adequate water supply as determined by a certified fire safety engineer. Operating hour limited to 7:30 AM to 4:30 PM Mon-Sat.</p> <p>Any use of manure will require control of smell to neighboring properties. Fire marshal approval.</p> <p>Dead animals at a TBD percentage.</p> <p>RC and RR – not allowed on farms composting over 2 acres.</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>(includes buffers and dust suppression); and nutrient mgmt. plan per MDA standard.</p> <p>Meet MDE standards for height of feedstock and composting piles. Provide composting site information to Fire Dept for advice on fire suppression.</p> <p>Allows composting of dead animals raised on the farm</p> <p>VOTE:</p>	
	16	Tier 2 Permit Sec. 26.04.11.05	Non- farms, as well as farm operations not covered above	Conditional use	<p>FROM CELL #10 –do we want to amend something?????</p> <p>Allowed on farms in RC and RR, including Ag Preservation easements up to a maximum 10 % of the parcel up to a maximum of 10 acres . Remainder of land to be actively farmed or managed per current Conservation Plan.</p> <p>At least 50% of the finished compost is to be used on the farm or another</p>	<p>DRPS Non-farm operations shipping mulch and compost as an end product to others</p> <p>Potential conditional use criteria:</p> <ul style="list-style-type: none"> • Setbacks from residential properties (300 ft?? from lot lines or 500 ft from existing houses?) • Setback from streams (150ft? 200 ft?) • Forest or landscape buffers (minimum width of 100 ft? 200 ft?) • How dust and odors will be controlled (siting?) • Adequate access for trucks & emergency vehicles (road classification, site distance)

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>property farmed by the operator or is shipped as part of the farming crop (food, trees, etc.) but not as an end product for distribution off-site</p> <p>Conditional use submission to include MDE permit application (share with DPW and DFRS),</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B)</p> <p>Compost facility meets: NRCS standard #317 for design; NRCS standard #380 (includes buffers and dust suppression); and nutrient mgmt. plan per MDA standard</p> <p>Meet MDE maximum feedstock and compost processing pile height limits and other requirements related to access and fire suppression based on proposed design</p> <p>Potential conditional use criteria:</p> <ul style="list-style-type: none"> Setbacks: 150 ft to property line; 500 ft to adjoining residence; 100 ft to a stream or well, but 200 ft to a down gradient domestic wells Adequate site access for trucks & 	<ul style="list-style-type: none"> Adequate water supply as determined by DFRS Limits on days and hours of operation Requires submission of MDE permit application <p>The Hearing Examiner can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels (see General Criteria for all conditional uses).</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc). SDP can't be approved until MDE permit is issued.</p> <p>RC and RR farms – not allowed to exceed 2 acres</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>emergency vehicles (road classification, driveway entrance)</p> <ul style="list-style-type: none"> Reliable, year round water supply as determined by DFRS Operating limited to daylight hours., Monday – Saturday <p>The Hearing Examiner can impose other conditions that are appropriate to prevent adverse impacts on adjoining parcels based on comments from reviewing agencies (see General Criteria for all conditional uses).</p> <p>After conditional use approval, require submission of a Site Development Plan to be reviewed by County agencies (addresses detailed design related to regulations on access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued.</p> <p>Copies of a permit renewal or revision by MDE must be submitted to DPZ and shared with DPW and DFRS</p> <p>Vote:</p>	

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
	17	Tier 2 Permit	<p>Non-farm operations</p> <p>Non-farm operations shipping mulch and compost as an end product to others</p>	M-1 and M-2 zoning districts only, permitted with a Solid Waste Overlay.	<p>FROM CELL #11 – do we want to amend something?????</p> <p>M1 and M2 properties only with Solid Waste Overlay.</p> <p>Zoning petition to include MDE permit application (share with DPW and DFRS),</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B) and noise restrictions (COMAR Sec.26.02.03.00) ?? or use Howard County noise restrictions which apply in industrial zones?</p> <p>Shall be located within an enclosed facility unless the applicant can demonstrate that the proposed design and technology will prevent an outdoor facility from becoming a nuisance that adversely affects neighboring properties.</p> <p>The Zoning Board as part of the SW zoning case decision may limit hours of operation, require increased setbacks or buffering, or other conditions to prevent adverse impacts on adjoining property</p> <p>Other criteria ?? vs the Zoning Board may impose other restrictions as part</p>	<p>DRPS</p> <p>10 acre limit ?</p> <p>Other permit criteria:</p> <ul style="list-style-type: none"> • Setbacks from residential property lines of 500 feet • Setback from streams and wells - 500 feet • Forest or landscape buffers (minimum width of 100 ft) • Run-off controlled and control of smell to neighboring properties. • Mist when grinding and turning for dust control • Grinders, processing and in an enclosed facility • Winrows covered with closed air recirculation system for odor and pathogen control • Adequate access for trucks & emergency vehicles (road study) • Limits on days and hours of operation - 7:30 Am to 4:30 PM, M-Sat • Requires submission of all approved permits to County • Noise at less than 55 dBA at setbacks <p>Fire hydrant capable of 1000 GPM at 20 PSI within 1000 feet of facility with adequate roads for fire trucks as approved by a certified fire safety engineer.</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>of the SW zoning case decision.</p> <p>A fire hydrant shall be located on site or within 400 ft</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued.</p> <p>VOTE:</p>	
<p>Composting Tier 3 Sewage sludge, biosolids, mixed municipal solid waste and other materials MDE determines to be a "higher" risk than Type 1 and 2 Sec.26.04.11.02 (39)</p>	18	Tier 3 Composting Permit Sec. 26.04.11.05	Non-farm operations	M-1 and M-2 zoning districts permitted with a Solid Waste overlay. y	<p>FROM CELL #11 – do we want to amend something????</p> <p>M1 and M2 properties only with Solid Waste Overlay.</p> <p>Zoning petition to include MDE permit application (share with DPW and DFRS),</p> <p>Must meet MDE General Restrictions (COMAR 26.04.11.04.B) and noise restrictions (COMAR Sec.26.02.03.00) ?? or use Howard County noise restrictions which apply in industrial zones?</p> <p>Shall be located within an enclosed facility unless the applicant can demonstrate that the proposed design</p>	<p>DRPS M1 and M2 with solid waste overlay only. Must be an enclosed facility;</p> <p>Minimum setback to residential property of 500 ft; Zoning Board may impose other restrictions as part of the SW zoning case decision.</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued.</p>

Natural Wood Waste and Composting						
		MDE Role	MDE Criteria	Howard County Role	Howard County Criteria (Zoning) – majority recommendations	Minority report recommendations
					<p>and technology will prevent an outdoor facility from becoming a nuisance that adversely affects neighboring properties.</p> <p>The Zoning Board as part of the SW zoning case decision may limit hours of operation, require increased setbacks or buffering, or other conditions to prevent adverse impacts on adjoining property</p> <p>Other criteria ?? vs the Zoning Board may impose other restrictions as part of the SW zoning case decision.</p> <p>A fire hydrant shall be located on site or within 400 ft</p> <p>Requires submission of a Site Development Plan to be reviewed by County agencies (addresses access, traffic, fire code, stormwater management, etc).</p> <p>SDP can't be approved until MDE permit is issued.</p> <p>VOTE:</p>	